

SA 1750. Mr. RUBIO (for himself, Mr. SCOTT of Florida, and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 439, strike line 10, and all that follows through page 440, line 10, and insert the following:

(d) EXCLUDED SPECIES.—It shall not be a violation of subsection (b) for any person to possess, transport, offer for sale, sell, process, or purchase any fresh, frozen, raw or otherwise processed fin or tail from any stock of the following species:

- (1) *Mustelus canis* (smooth dogfish).
- (2) *Squalus acanthias* (spiny dogfish).
- (3) *Rhizoprionodon terraenovae* (Atlantic sharpnose).
- (4) *Carcharhinus acronotus* (Blacknose).
- (5) *Carcharhinus limbatus* (Blacktip).
- (6) *Carcharhinus longimanus* (Oceanic whitetip).
- (7) *Carcharhinus leucas* (Bull).
- (8) *Carcharhinus isodon* (Finetooth).
- (9) *Mustelus norrisi* (Florida smoothhound).
- (10) *Mustelus sinuatus* (Gulf smoothhound).
- (11) *Sphyrna mokarran* (great Hammerhead).
- (12) *Sphyrna lewini* (scalloped Hammerhead).
- (13) *Sphyrna zygaena* (smooth Hammerhead).
- (14) *Negaprion brevirostris* (Lemon).
- (15) *Ginglymostoma cirratum* (Nurse).
- (16) *Lamna nasus* (Porbeagle).
- (17) *Isurus oxyrinchus* (Shortfin Mako).
- (18) *Carcharhinus brevipinna* (Spinner).
- (19) *Alopias vulpinus* (Thresher).
- (20) *Galeocerdo cuvier* (Tiger).
- (21) *Carcharhinus plumbeus* (Sandbar).

SA 1751. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

SEC. 51. MARKET INDEXES.

(a) IN GENERAL.—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended—

- (1) in section 8(b) (15 U.S.C. 80a-8(b))—
 - (A) in paragraph (4), by striking “and” at the end;
 - (B) in paragraph (5), by striking the period at the end and inserting “; and”; and
 - (C) by adding at the end the following:
 - “(6) a disclosure of—

“(A) whether the registrant intends to track the returns of, or benchmark against, a specific index of securities; and

“(B) if the registrant intends to track the returns of, or benchmark against, a specific index of securities—

- “(i) the identity of the index provider;
- “(ii) any involvement of the registrant in designing the index;
- “(iii) any ability of the registrant to influence the construction or composition of the index; and
- “(iv) any licensing fees paid by the registrant to the index provider.”;

(2) in section 13 (15 U.S.C. 80a-13)—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following:

“(c) CHANGE IN INVESTMENT POLICY RELATING TO INDEXING.—

“(1) IN GENERAL.—With respect to a registered investment company that tracks the returns of, or benchmarks against, a specific index of securities, if a deviation with respect to that index occurs such that the deviation would be permitted under subsection (a)(3) if made directly by the investment company only if authorized by the vote of a majority of the outstanding voting securities of the investment company, the investment company may not continue to so track, or benchmark against, the index, unless so authorized by such a vote or by a vote by the board of directors of the investment company.

“(2) RULE OF CONSTRUCTION.—For the purposes of paragraph (1), a deviation with respect to an index that requires a vote, as described in that paragraph, includes such a deviation that adds new, or increases the weighting of, securities—

“(A) of issuers that are headquartered or incorporated in the People’s Republic of China; or

“(B) that are listed on exchanges in the People’s Republic of China.”; and

(3) in section 30 (15 U.S.C. 80a-29)—

(A) in subsection (b)(1), by striking “this title; and” and inserting the following: “this title, which shall include—

“(A) information regarding whether the registered investment company tracks the returns of, or benchmarks against (or intends to track, or benchmark against), a specific index of securities; and

“(B) if the registered investment company engages in, or intends to engage in, the action described in subparagraph (A), the information described in section 8(b)(6)(B) with respect to the index described in subparagraph (A) of this paragraph; and”;

(B) by adding at the end the following:

“(k) ANNUAL DISCLOSURE REGARDING CHINESE SECURITIES.—

“(1) IN GENERAL.—Each registered investment company shall annually transmit to the stockholders of the investment company a report containing information regarding, with respect to any security owned by the investment company that is issued by an issuer that is headquartered or incorporated in the People’s Republic of China or listed on an exchange in the People’s Republic of China—

“(A) the percentage of the securities of that issuer that are owned by governmental entities in the People’s Republic of China;

“(B) whether the entities described in subparagraph (A) have a controlling financial interest with respect to the issuer;

“(C) the name of any official of the Chinese Communist Party who is a member of the board of directors of—

- “(i) the issuer; or
- “(ii) the operating entity with respect to the issuer;

“(D) whether the articles of incorporation of the issuer (or equivalent organizing document) contains any charter of the Chinese Communist Party, including the text of any such charter; and

“(E) whether the investment company was unable to obtain any of the information required under any of subparagraphs (A) through (D).

“(2) INCLUSION PERMITTED.—A report that a registered investment company is required to transmit under paragraph (1) may be included in a report that the investment company is required to transmit under subsection (e).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)) is amended, in the matter preceding paragraph (1), by striking “section 13(c)(1)(B)” and inserting “section 13(d)(1)(B)”.

(c) UPDATES TO RULES.—Not later than 1 year after the date of enactment of this Act, the Securities and Exchange Commission shall make any updates to the rules of the Commission that are necessary as a result of this section and the amendments made by this section.

SA 1752. Mr. RUBIO (for himself, Mr. COTTON, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division E, add the following:

SEC. 51. AMERICAN FINANCIAL MARKETS INTEGRITY AND SECURITY.

(a) PROHIBITIONS RELATING TO CERTAIN COMMUNIST CHINESE MILITARY COMPANIES.—

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term “Commission” means the Securities and Exchange Commission.

(B) CONTROL; INSURANCE COMPANY.—The terms “control” and “insurance company” have the meanings given the terms in section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-2(a)).

(C) COVERED ENTITY.—

(i) IN GENERAL.—The term “covered entity”—

(I) means an entity on—

(aa) the list of Communist Chinese military companies required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note); or

(bb) the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the title 15, Code of Federal Regulations; and

(II) includes a parent, subsidiary, or affiliate of, or an entity controlled by, an entity described in subclause (I).

(ii) GRACE PERIOD.—For the purposes of this section, and the amendments made by this section, an entity shall be considered to be a covered entity beginning on the date that is 1 year after the date on which the entity first qualifies under the applicable provision of clause (i).